

REMARKS

Claims 1-23 are pending in the present application. Claims 1, 5, 6, 9, 11, 15, and 19 have been amended to clarify that the gateway apparatus is capable of maintaining a connection with a wired telephone network and a connection with a wireless telephone network even when receiving incoming calls via the wired network. Support for the amendments are found, for example, on page 4, lines 7-9 of the specification. New claims 22 and 23 have been added to provide claims of varying scope from those initially filed. No claims have been canceled and no new matter has been added. Applicant respectfully requests reconsideration and continued examination in view of the above amendments and the following remarks.

Claim rejections- 35 U.S.C. 103

Claims 1-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schornack et al (US 5,946,616, hereinafter "Schornack") in view of Morrow (US 6,498,938, hereinafter "Morrow"). Applicant respectfully submits that Schornack in view of Morrow does not teach each and every feature recited in amended independent claims 1, 6, 11, 15, and 19.

Claim 1

Amended claim 1 is drawn to an apparatus for providing a gateway between one or more wired telephones and a wireless telephone network where each of the telephones are directly connected to a wired home telephone network without modification. The apparatus comprises, among other features, (1) "a wired telephone interface electrically coupled to said one or more wired telephones directly connected to said wired home telephone network without modification" and (2) "a controller, said controller operative to in response to determining that a one of said one or more wired telephones has been placed in an off hook state, establish a communications channel between said wired telephone interface and said wireless radio, thereby permitting said incoming telephone call to be received on said one of said wired telephones placed in an off hook state wherein said apparatus maintains a connection to said wireless telephone network while receiving incoming telephone calls via a wired telephone network."

The Office Action acknowledges that Schornack does not teach "one or more wired telephones directly connected to said wired home telephone network" but cites Morrow to

resolves the deficiencies of Schornack. (See page 3, lines 4-6 of Office Action). However, Morrow only teaches an interface that couples a wired telephone system to the RJ-11 jacks of one or more wired phones. If a wireless communications unit or circuit is physically connected to the interface disclosed in Morrow, the interface does not permit signal transmissions to or from the wired telephone system. (See Morrow column 4, lines 20-26).

In contrast, amended claim 1 recites an apparatus that "maintains a connection to said wireless telephone network while receiving incoming telephone calls via a wired telephone network." The connection to the wired network can be operative even while the apparatus maintains a connection to the wireless network. Neither Schornack nor Morrow alone, or in combination teach or suggest wired telephones directly connected to a wired home telephone network and an apparatus maintaining a connection to a wireless telephone network while receiving incoming telephone calls via a wired telephone network as set forth in Applicant's amended claim 1. Applicant respectfully submits that because Schornack in view of Morrow does not teach, suggest, or describe each recitation of Applicant's amended claim 1, amended claim 1 is allowable over Schornack in view of Morrow.

Claim 6

Amended independent claim 6 is drawn to "a method for providing a gateway between a wired telephone directly connected to a wired home telephone network and a wireless telephone network." The method comprises, among other features (1) "detecting an incoming wireless telephone call over said wireless telephone network" and (2) "providing a ring signal to said wired telephone directly connected to said wired home network in response to detecting said incoming call wherein said gateway maintains a connection with a wired telephone network and said wireless telephone network even when receiving an incoming telephone call over said wired telephone network." At least for the reasons stated above with regard to amended claim 1, Applicant respectfully submits that Schornack in view of Morrow does not teach or suggest (2) "providing a ring signal to said wired telephone directly connected to said wired home network in response to detecting said incoming wireless telephone call wherein said gateway maintains a connection with a wired telephone network and said wireless telephone network even when receiving an incoming telephone call over said wired telephone network." Thus, amended claim 6 is not taught, suggested or described by Schornack in view of Morrow.

Claims 11 and 15

Schornack in view of Morrow also does not teach or suggest each recitation of amended claim 11. In particular, Schornack in view of Morrow does not teach or suggest "an apparatus for providing a gateway between one or more wired telephones and a wireless telephone network wherein said one or more wired telephones are directly connected to a wired home network", comprising, among other features, "a controller operative to (1) provide a ring signal through said wired telephone interface operative to ring said one or more wired telephones in response to detecting said incoming telephone call wherein said controller maintains a connection with said wired telephone network and said wireless telephone network " and (2) "permit said incoming telephone call to be received on said one of said wired telephones directly connected to a wired home network and placed in an off hook state." At least for the reasons stated above with regard to amended claims 1 and 6, Schornack in view of Morrow does not make Applicant's amended claim 11 obvious.

Additionally, Schornack in view of Morrow does not teach or suggest each recitation of amended independent claim 15. In particular, Schornack in view of Morrow does not teach "a method for providing a gateway between one or more wired telephones and a wireless telephone network wherein said one or more wired telephones are directly connected to a wired home network." The method comprises, among other features, (1) "determining whether a connection between said one or more wired telephones directly connected to said wired home network and a wired telephone network is operative wherein said gateway maintains a connection with said wired telephone network and said wireless telephone network" and (2) "providing a ring signal to said one or more wired telephones in response to detecting said incoming telephone call at a wireless radio." At least for the reasons stated above with regard to amended claims 1, 6, and 11, Applicant respectfully submits that Schornack in view of Morrow does not teach or suggest (1) a gateway that maintains a connection with said wired telephone network and said wireless telephone network while determining whether a connection to the wired telephone network is operative and (2) "providing a ring signal to said one or more wired telephones directly connected to a wired home network in response to detecting said incoming telephone call at a wireless radio." Thus, amended claim 15 is allowable over Schornack in view of Morrow.

Claim 19

Schornack in view of Morrow also does not teach or suggest each recitation of amended independent claim 19. Specifically, neither Schornack or Morrow alone, or in combination teach or suggest a computer-controlled apparatus operative to, among other features, (1) "provide a second mode of operation in which said apparatus is operative to monitor an operational status of said wireless telephone network and to route a telephone call made from said wired home network via a wired telephone directly connected to said wired home telephone network through said wired telephone network in response to determining that said wireless telephone network is not operational while maintaining an inoperative connection with said wireless telephone network." At least for the reasons stated above with regard to amended claims 1, 6, 11 and 15, Applicant respectfully submits that Schornack in view of Morrow does not teach, suggest or describe each recitation of Applicant's amended claim 19 thus, amended claim 19 is allowable.

Claims 2-5, 7-10, 16-18, and 20-21

At least because the recitation of claims 2-5, 7-10, 16-18, and 20-21 are not taught by Schornack or Morrow alone, or in combination, and claims 2-5, 7-10, 16-18, and 20-21 incorporate the features of allowable independent claims, claims 2-5, 7-10, 16-18, and 20-21 are also allowable over Schornack in view of Morrow.

In addition, these claims recite further features not disclosed or suggested by the cited patents.

For example, claims 3 and 7 recite "a current source for delivering an electrical current to said one or more wired telephones compatible with POTS service to provide ring signals to said one or more wired telephones." The Office Action points to Schornack for this feature. However, Schornack teaches a loop current detection circuit 410 that detects an absence of loop current during an on-hook condition. (See Schornack, column 13, lines 5-10). Because the presence of loop current is detected during off hook conditions and ring signals occur during on hook conditions, Schornack does not teach "a current source for delivering an electrical current to said one or more wired telephones compatible with POTS service to provide ring signals to said one or more wired telephones." This feature is also missing from Morrow. Thus,

Applicant respectfully submits that claim 3 is allowable over any combination of Schornack and Morrow for this additional reason.

Improper Combination

Applicant also respectfully traverses this rejection on the grounds that the references Schornack and Morrow are improperly combined and there is no suggestion or motivation to make the proposed modification as outlined in the MPEP sections 2143.01 and 2145 X ((D)(2)).

As stated above, the Office Action acknowledges that "Schornack does not teach one or more wired telephones directly connected to said wired home telephone network "(see page 4, line 3 of Office Action). However, the Office Action asserts that Morrow resolves the deficiencies of Schornack stating that "it would have been obvious to provide the teachings of Morrow to said device of Schornack in order to better combine the mobility of a cellular phone with the connectivity of a wired phone system. Applicant traverses this assertion and submits that the proposed modification of Morrow to Schornack renders Schornack unsatisfactory for its intended purpose and changes the principle of operation of Schornack.

As recited in Schornack, "the invention is simultaneously connected to both wireline and cellular services" (Column 4, lines 9-11). Schornack requires a line inversion adapter to connect a wired phone to both a wireline and a cellular network. A phone without an adapter in Schornack is dedicated to the wireline network. (Column 4, lines 19-32). Modifying Schornack with a phone without an adapter would dedicate the phone to the wireline network unless the interface of Morrow is included. However, including the interface of Morrow would also render the intended purpose of Schornack unsatisfactory for its intended purpose. The invention of Schornack can receive and send calls on the wireline network even when the cellular network is connected. (See Schornack column 5, lines 1-21). In contrast, when the invention as disclosed in Morrow has a wireless unit connected, signal transmissions from the "wireline" network are not permitted because a wireless unit is attached to the interface. (See Morrow column 4, lines 23-28). Thus, Schornack modified by Morrow, with the directly connected phone and the interface of Morrow, would be rendered unsatisfactory for Schornack's intended purpose and would change the principle of operation of Schornack as recited in column 5, lines 1-21 of Schornack.

The MPEP states in section 2143.01 "If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or

motivation to make the proposed modification. The MPEP also states in section 2143.01, " If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious." Further, in section 2145 X ((D (2))), the MPEP supports that Schornack and Morrow cannot be combined because they teach away from their combination.

Weighing the suggestive power of each reference, Schornack discredits the use of a direct connection between the phone and the home telephone network as disclosed in Morrow. Morrow discredits the simultaneous connection of the wireless unit to the interface and transmission via the wired network as disclosed in Schornack. Thus, Applicant respectfully asserts that it would not have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teachings of Morrow to said device of Schornack. Accordingly, Applicant also submits that claims 1-21 are allowable over Schornack in view of Morrow for at least this reason also.

Conclusion

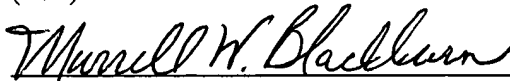
In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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